

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANTS: John & Susan Motes  
DOCKET NO.: 04-21985.001-R-1  
PARCEL NO.: 18-02-306-030-0000

The parties of record before the Property Tax Appeal Board are John & Susan Motes, the appellants, by attorney Julie Realmuto of McCarthy and Duffy, Chicago, Illinois; and the Cook County Board of Review.

The subject property is a 45-year old, one and one-half story style dwelling of frame and masonry construction containing 1,377 square feet of living area with a slab foundation. According to the appellants, the subject property has 894 square feet of living area.

The appellants' appeal is based on unequal treatment in the assessment process. The appellants submitted for consideration three comparable properties described as one-story or one and one-half story stucco or frame dwellings that range in age from 51 to 94 years old. The comparables contain from 832 to 936 square feet of living area and have improvement assessments ranging from \$5.92 to \$7.99 per square foot. The appellants claim that the subject's improvement assessment is \$12.42 per square foot, but that is based on the appellants' claim that the dwelling has 894 square feet of living area. However, the appellants submitted no evidence to support this claim. Based on this evidence, the appellants requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment was disclosed. The board of review presented descriptions and assessment information on four comparable properties consisting of one and one-half story masonry or frame and masonry dwellings that are each 45 years old. The dwellings contain from 894 to 1,341 square feet of living area and have improvement assessments

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$	2,350
IMPR.:	\$	11,101
TOTAL:	\$	13,451

Subject only to the State multiplier as applicable.

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ranging from \$8.41 to \$12.03 per square foot. According to the board of review, the subject property's improvement assessment is \$11,101 or \$8.06 per square foot of living area. That calculation is based on the board of review's claim that the dwelling has 1,377 square feet of living area. In support of its claim, the board of review produced the subject's property characteristic sheet. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellants have not overcome this burden.

The appellants claimed that the dwelling has only 894 square feet of living area but produced no evidence in support of this claim. The board of review claimed that the subject has 1,377 square feet of living area and submitted the subject's property characteristic sheet to support its claim. Consequently, the Board finds that the subject property has 1,377 square feet of living area and that the comparables numbered one, two, and three by the board of review were the most similar to the subject in age, size, design, and/or exterior construction. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis. These comparables had improvement assessments that ranged from \$8.41 to \$9.76 per square foot of living area. The subject's improvement assessment of \$8.06 per square foot of living area falls below this range. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported and a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: August 14, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.